

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
HARRISON DIVISION

STEVEN C. MCALISTER

PLAINTIFF

v.

Civil No. 3:15-cv-03107

COMMISSIONER, SOCIAL
SECURITY ADMINISTRATION

DEFENDANT

MEMORANDUM OPINION

On April 26, 2016, Steven McAlister (“Plaintiff”) filed this Motion to Dismiss. ECF No. 9. According to Plaintiff, he concedes substantial evidence supports the ALJ’s decision, he no longer wishes to pursue his appeal, and requests dismissal. *Id.* Defendant has not objected to this motion. The parties have consented to the jurisdiction of a magistrate judge to conduct any and all proceedings in this case, including conducting the trial, ordering the entry of a final judgment, and conducting all post-judgment proceedings. ECF No. 6. Pursuant to this authority, the Court issues this memorandum opinion and orders the entry of a final judgment in this matter.

Absent any pending counterclaims, a court is authorized to dismiss a case at the Plaintiff’s request on the terms that the court considers proper. FED. R. CIV. P. 41(a)(2). Defendant has asserted no counterclaims and has not objected to this motion. After taking into consideration said Motion, the Court finds the Plaintiff’s motion should be **GRANTED** and Plaintiff’s case be dismissed without prejudice.

ENTERED this 10th day of May, 2016.

/s/ Barry A. Bryant
HON. BARRY A. BRYANT
U.S. MAGISTRATE JUDGE